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6 UNITED STATES BANKRUPTCY COURT
7 EASTERN DISTRICT OF CALIFORNIA
8 SACRAMENTO DIVISION
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10 In re: LARRY LAUB and
11 BETTY MORRIS- LAUB Bank. Case No. 09-33737-B-7
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13 EX PARTE MOTION TO REOPEN CLOSED CASE TO EFFECT ENTRY OF
14 REAFFIRMATION AGREEMENT

15 Debtors, LARRY LAUB and BETTY MORRIS-LAUB, by and through their attorney of
16 record, do hereby request that their Chapter 7 bankruptcy case be reopened to allow for the filing
17 of a previously executed reaffirmation agreement.

18 Debtors filed a Chapter 7 bankruptcy case on or about July 2, 2009 and were assigned the
19 normal hearing dates for the meeting of creditors. Debtors did appear at the continued hearing
20 date and the trustee, Mr. Frederick J. Lucksinger issued an Order of No Assets. The normal time
21 periods continued to run for filings objections to discharge and none were filed.

22 During the time period from the first Meeting of Creditors, debtors and Creditor Wells
23 Fargo Bank entered into negotiations regarding the secured debt for the 2008 Toyota Prius. Near
24 the end of the normal case processing time, debtors and the appropriate representative from
25 Wells Fargo entered into a reaffirmation agreement, it was signed by debtors, then signed by the
26 undersigned as debtors' counsel and forwarded by counsel to the appropriate Wells Fargo office
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1 for signature by their representative. Once that representative had executed the document and
2 attempted to file the reaffirmation with this court, the discharge had been entered and the
3 reaffirmation was unable to be accepted for filing.

4 Debtors do wish to retain the secured vehicle and all parties are in full agreement that the
5 terms of the reaffirmation agreement are reflective of the wishes of both parties. Debtors
6 respectfully request of this court that the instant Chapter 7 case be reopened for the filing of this
7 reaffirmation agreement. Once the case has been reopened, Wells Fargo can then file the
8 reaffirmation agreement and the case can once again be closed.

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10 Dated: 11-3-09

Ruth A. Rowlette

11 Ruth A. Rowlette, Counsel for Debtor

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